

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VOLTERRA SEMICONDUCTOR LLC,)
)
Plaintiff,)
)
v.) C.A. No. 19-2240-CFC-SRF
)
MONOLITHIC POWER SYSTEMS,)
INC.,)
)
Defendant.)

**[PROPOSED] ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (NO. 1) OF NO
INDIRECT INFRINGEMENT BASED ON VOLTERRA'S COVENANT
NOT TO SUE NVIDIA**

On this 25th day of August, 2022, having considered Defendant
Monolithic Power Systems, Inc.'s ("MPS") Motion for Summary Judgment (No. 1)
of No Indirect Infringement Based on the Volterra Covenant Not to Sue NVIDIA
("Volterra CNS") (D.I. 268, unsealed), and all of the associated papers submitted
and arguments presented therewith, IT IS HEREBY ORDERED the motion is
GRANTED-IN-PART and DENIED-IN-PART as follows:

Summary Judgment of no indirect infringement is GRANTED as to
Volterra's allegations that MPS induced infringement of U.S. Patent Nos.
6,362,986, 7,525,408 and 7,772,955 premised on direct infringement by
NVIDIA's, or NVIDIA's subsidiaries', affiliates', or customers', use, offer for sale

*For the reasons stated by the Court during oral
argument held on August 2, 2022,*

or sale of the NVIDIA products. Pursuant to the Volterra CNS, NVIDIA products refers to those products of NVIDIA which include MPS Accused Products (MPS voltage converters with coupled inductors) that were already designed into the NVIDIA products prior to April 9, 2020, or their derivatives. A derivative is defined as a NVIDIA product that uses the same MPS Accused Products and has passed Nvidia's standard X-release product development milestone prior to or on May 31, 2022.

MPS' Motion for Summary Judgment No. 1 is denied in all other respects.



United States District Judge